

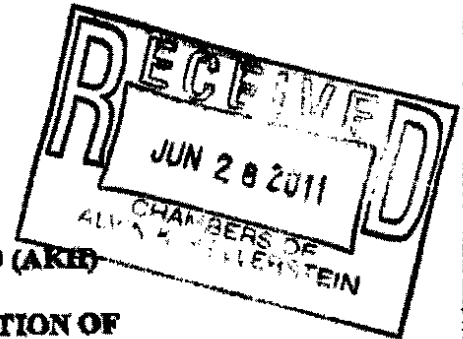
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER
DISASTER SITE LITIGATION

21 MC 100 (AKH)

**STIPULATION OF
VOLUNTARY DISMISSAL AGAINST
DEFENDANTS PHILLIPS & JORDAN,
INC. ("P&J") and EVANS
ENVIRONMENTAL AND
GEOLOGICAL SCIENCE AND
MANAGEMENT, LLC d/b/a EVANS
ENVIRONMENTAL AND
GEOSCIENCES s/b/a EVANS
ENVIRONMENTAL ("Evans")
PURSUANT TO F.R.C.P.
41(a)(1)(A)(ii) PERTAINING TO THE
FOLLOWING CASES**

NEIL AMBROSIO, (07 CV 06854, 10 CV 1899)

**JEAN MARIE DEBLASE as Administratrix of the Estate
of MARK DEBLASE, and JEAN MARIE DEBLASE,
Individually, (07 CV 725, 10 CV 2369)**

RUDOLPH HEIN, (08 CV 06719, 10 CV 2373)

**BRIAN LAVIN and MARILEN LAVIN, (08 CV 4614, 10
CV 1937)**

**CHRISTOPHER J. LUFFMAN, (05 CV 1917, 06 CV
7314, 10 CV 2042)**

FRANK SALLANO, (09 CV 2972, 10 CV 2092)

JOHN P. SULLIVAN, IV, (06 CV 13493, 10 CV 2321)

**NICHOLAS WOWK and ELDIA WOWK, (07 CV 4132,
10 CV 1896)**

Plaintiffs,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

The stipulation is
accepted. As the
dismissals are of the
last remaining claims of
each of these Plaintiffs,
the Clerk is directed to
enter these dismissals and
to close each case listed
in the caption, except 21 MC 100.

So Ordered.
[Signature]
June 29, 2011

Whereas Plaintiffs listed in Exhibit "A" elected to participate in the World Trade Center Settlement Process Agreement ("WTC SPA") to resolve claims against defendants insured by the World Trade Center Captive Insurance Company by tendering general releases and covenants not to sue in 2010; and

Whereas the claims of named Plaintiffs against the defendants insured by the World Trade Center Captive Insurance Company were dismissed with prejudice pursuant to the Stipulated Order of Dismissal so ordered by this Court on January 28, 2001; and

Whereas the named Plaintiffs in Exhibit "A" have settled their claims against defendants PHILLIPS & JORDAN, INC. ("P&J") and EVANS ENVIRONMENTAL AND GEOLOGICAL SCIENCE AND MANAGEMENT, LLC d/b/a EVANS ENVIRONMENTAL AND GEOSCIENCES s/h/a EVANS ENVIRONMENTAL ("Evans") by tendering general releases and covenants not to sue on December 23, 2010;

IT IS HEREBY STIPULATED AND AGREED by and between the parties that, pursuant to Federal Rule of Civil Procedure 41 (a)(1)(A)(ii):

1. All claims by named Plaintiffs against Defendants PHILLIPS & JORDAN, INC. ("P&J") and EVANS ENVIRONMENTAL AND GEOLOGICAL SCIENCE AND MANAGEMENT, LLC d/b/a EVANS ENVIRONMENTAL AND GEOSCIENCES s/h/a EVANS ENVIRONMENTAL ("Evans") arising out of or relating in any way to World Trade Center-related rescue, recovery and/or debris-removal operations and/or clean-up at any location on and/or after September 11, 2001, are voluntarily dismissed with prejudice; and

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2. The dismissal is without costs.

Dated: June 22, 2011

SULLIVAN PAPAIN BLOCK
McGRATH & CANNAVO P.C.

By: 

Andrew J. Carbo, Esq.
Attorneys for Plaintiffs
120 Broadway, 18th Floor
New York, New York 10271

Dated: June 23, 2011

PHILLINGER MILLER TARALLO

By: 

Attorneys for Defendant EVANS
ENVIRONMENTAL AND GEOLOGICAL
SCIENCE AND MANAGEMENT, LLC d/b/a
EVAN ENVIRONMENTAL AND GEOSCIENCES
s/h/a EVANS ENVIRONMENTAL ("Evans")
570 Taxter Road
Elmsford, NY 10523

Dated: June 22, 2011

McGIVNEY & KLUGER

By: 

Attorneys for Defendant PHILLIPS
and JORDAN, INC. ("P&J")
80 Broad Street, 23rd Floor
New York, New York 10004

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Exhibit "A"

Plaintiff	CV number	
Ambrosio, Neil	07 CV 06854; 10 CV 1899	21 MC 100
Hein, Rudolph	08 CV 06719; 10 CV 2373	21 MC 100
DeBlase, Jean Marie as Administratrix of the Estate of Mark DeBlase, and Jean Marie DeBlase, Individually	07 CV 725; 10 CV 2369	21 MC 100
Lavin, Brian and wife, Marilyn Lavin	08 CV 4614; 10 CV 1937	21 MC 100
Luffman, Christopher J.	05 CV 1917; 06 CV 7314; 10 CV 2042	21 MC 100
Sialiano, Frank	09 CV 2972; 10 CV 2092	21 MC 100
Sullivan, IV John P.	06 CV 13493; 10 CV 2321	21 MC 100
Wowk, Nicholas and Eldia Wowk	07 CV 4132; 10 CV 1896	21 MC 100